



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3332]

THURSDAY, THE NINETEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 4027/2026

Between:

1. CHAKKA MADHUSUDHAN, S/O. SREERAMULU, AGED ABOUT
57 YEARS, R/O. 25/626, SRINIVASA NAGAR, NANDYAL,
KURNOOL DISTRICT ANDHRA PRADESH- 518501

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS
PRINCIPAL SECRETARY, CONSUMER AFFAIRS, FOOD AND
CIVIL SUPPLIES DEPARTMENT, VELAGAPUDI, AMARAVATI-
522238

2. COLLECTOR CIVIL SUPPLIES, NANDYALA, NANDYALA
DISTRICT- 518501

3. REVENUE DIVISIONAL OFFICER, NANDYALA, NANDHYALA
DISTRICT- 518501

4. TAHSILDHAR, NANDHYALA URBAN MANDAL, NANDYALA
DISTRICT-518501

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to please to issue Writ Order or direction more particularly one in the nature of WRIT OF MANDAMUS to declare the action of the 3rd respondent in issuing proceedings vide

Rc.B3/CS/237/2026, dt. 30.01.2026, suspending my authorisation pending enquiry until further order of Fair Price Dealer Shop no. 1384069, Nabi Nagar, Nandhyala Town, Nandyala Mandal without giving me an opportunity of hearing, without recording proper valid reasons and without examining the card holders as illegal, arbitrary and in violation of principles of natural justice and consequently set-aside the same and pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the 3rd respondent proceedings vide RC.B3/CS/237/2026. dt. 30.01.2026 by allowing the writ petitioner to supply commodities to cardholders of Fair Price Dealer Shop No. 1384069, Nabi Nagar, Nandhyala Town, Nandyala Mandal, pending disposal of the Writ Petition and pass

Counsel for the Petitioner:

1.J.JYOTHI

Counsel for the Respondent(S):

1.GP FOR CIVIL SUPPLIES

The Court made the following:

The Court made the following order:

Challenging the proceedings vide Rc.B3/Cs/237/2026 dated 30.01.2026 wherein the authorization of the petitioner as Fair Price Shop dealer of Shop No.1384069 in Nabi Nagar, Nandyal Town and Mandal was suspended without valid reasons and without hearing the petitioner, the present writ petition is filed.

2. Heard Ms Jagarlamudi Anjanee Priya, learned counsel representing Ms.J.Jyothi, learned counsel for the petitioner and Sri Vineeth Appasani, learned Assistant Government Pleader for Civil Supplies for the respondents.

3. Learned counsel for the petitioner while reiterating the contents of the affidavit contended that, a show cause notice was issued to the petitioner on 20.01.2026 on the alleged ground of variations in the stocks. She further submitted that, to the said show cause notice, the petitioner has submitted an explanation dated 21.01.2026 to the respondent authorities, however, without considering the same, the respondent authorities have issued impugned proceedings dated 30.01.2026 suspending the petitioner's dealership for fair price shop No. 1384069 for indefinite period even without hearing the petitioner. She further submitted that if the said impugned proceedings are allowed to subsist, it would affect the rights of the petitioner. As such, prayed to pass appropriate orders protecting the interest of the petitioner.

4. On the other hand, learned Assistant Government Pleader for Civil Supplies while justifying the orders impugned submitted that there is neither illegality nor procedural irregularity in passing impugned order. He further submitted that, as the petitioner has committed certain irregularities, as a temporary measure, his authorization was suspended in order to avoid inconvenience to the cardholders. No detailed enquiry is needed at this stage. No ground raised or urged warranting interference of this Court, accordingly, prayed to dismiss the writ petition.

5. In reply, learned counsel for the petitioner submitted that the order impugned, suspending the petitioner's dealership without any reasons, is unjustifiable and contrary to principles of natural justice, and the same is liable to be set aside. Accordingly, prayed to set aside the same.

6. Perused the record and considered the submissions made by the learned counsel for the parties.

7. The petitioner is a fair price shop dealer of Shop No. 1384069 in Nabi Nagar, Nandyal Town and Mandal. On the ground that during inspection, some variation in the stock was found, a show cause notice *vide* Rc.B3/Cs/237/2026 dated 20.01.2026 was issued to the petitioner asking to submit explanation by framing single charge. To the said show cause notice, the petitioner submitted explanation dated 21.01.2026, however, without considering the same, the impugned order has been passed, suspending the petitioner's dealership for the fair price shop, pending enquiry.

8. The said impugned proceedings/order has been questioned solely on the ground that the same has been passed due to political vengeance and in order to issue the dealership to some third parties, exerting political pressure on the revenue authorities, to terminate the petitioner from the dealership without any valid reasons. The other ground that has been raised by the petitioner is that the order impugned was issued without hearing and without giving cogent reasons.

9. In the above said background, there are certain guidelines framed for dealing the cases on alleged grounds of irregularities committed by the fair price shop dealers *vide* C.C.Memo.No.21/100/2015-ADI.PP-CCS dated 28.09.2015. The said guidelines have been framed by duly taking into consideration the judgments of this Court in W.P.No.30126 of 2014 & batch.

10. Clause (h) of the said guidelines is appropriate for the present case and for quick reference, the same is extracted hereunder:

“h. The power of suspension under clause 5(5) of the Control Order includes the power to suspend the authorization pending enquiry and no show cause notice is necessary before exercising such power.”

11. As per the above said provisions and the guidelines framed in the said circular, without issuing any show cause notice, the appointing authority can suspend the dealership of a dealer, pending enquiry, to protect the interest of the cardholders, by recording the reasons for such suspension. In the present case, as per the above said provision, the

authority has suspended the petitioner's dealership by recording the reasons that there is a *prima facie* evidence that the dealer/petitioner has contravened the provisions of Control Order, 2018 by committing irregularities (variations in stocks) and thereby passed the impugned order, as such, this Court find no irregularity or impropriety in issuing the said impugned order and hence, the impugned order needs no interference of this Court.

12. However, the Control Order, 2018, stipulates that enquiry has to be conducted preferably within a period of three (03) months and it is brought to the notice of this Court that, so far, no enquiry officer was appointed. In view of the said circumstances, this Court is inclined to dispose of the writ petition directing the respondent authority concerned to conclude the enquiry within a period of three months from the date of receipt of a copy of this order. If the enquiry is not completed within the stipulated time, the order of suspension dated 30.01.2026 shall be revoked.

13. Accordingly, the Writ Petition is ***disposed of***. There shall be no order as to costs.

As a sequel, miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

Date: 19th February, 2026
JLV

247

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 4027/2026

Date: 19th February, 2026
JLV